

REMARKS

Claims 3 to 10, 12 and 14 to 25 are pending in the application.¹ Claims 8 and 15 are independent. Favorable reconsideration and further examination are respectfully requested.

Initially, Applicants would like to confirm the following points. This application is a rule 371 national stage application, which claims priority to a PCT application². The PCT application claims priority to a German application.³ A certified copy of the German application has been filed to perfect convention priority, including for the PCT application, and receipt thereof has been acknowledged by the Patent Office. The Examiner confirmed that the claims are distinguished over the Aigner reference without reliance on the priority date of the German application⁴, and confirmed, in a telephone conversation with the undersigned, that a certified translation of the German priority application is not required.

Next, Applicants thank the Examiner for the indication that claim 15 is allowable over the art of record. As suggested by the Examiner, Applicants have written claim 15 into independent form to include the features of base claim 11. Accordingly, claim 15, and the claims that depend therefrom, are believed to be allowable.

Turning to the rejections, claims 2 to 10, 16 to 18, 21 and 22 were rejected over U.S. Patent Publication No. 2001/0048352 (Klee) in view of U.S. Patent Publication No. 2003/0067368 (Ohara); claims 11, 12, 14 and 23 were rejected over JP2002-217676 (Shibata) in view of Ohara; and claims 19 and 20 were rejected over Klee in view of Ohara and U.S.

¹ The Examiner is urged to independently confirm this recitation of the pending claims.

² PCT/EP03/10431

³ DE10246791.9

⁴ See page 2, paragraph 2 of the Office Action

6,548,942 (Panasik). As shown above, Applicant has amended independent claim 8⁵. In view of these amendments, withdrawal of the rejection of claim 8 is respectfully requested.

In particular, claim 8 has been amended to include a multilayer substrate, to recite that the capacitor and the at least one of the resonators are integrated into the multilayer substrate, and to recite that the capacitor comprises structured metal layers within the multilayer substrate. The applied art is not understood to disclose or to suggest these features.

In this regard, Klee describes forming components, including capacitors, C_A and C_B, above a glass substrate.⁶ The capacitors in Klee are not integrated into a multilayer substrate containing a resonator, as now required by claim 8. Ohara describes inserting capacitors between resonators⁷, however, Ohara likewise does not describe integrating a capacitor into such a multilayer substrate. The remaining art of record is not understood to disclose or to suggest this feature of claim 8. Accordingly, claim 8 is believed to be patentable.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this

⁵ The sole remaining rejected independent claim

⁶ See, e.g., Fig. 1 of Klee; and paragraphs 004, 0077, 0085 0092, 0106, and 0113

⁷ See, e.g., paragraph 0173

paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.


In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

No additional fees are believed to be due for this amendment, however, if any fees are due, please charge them to deposit account 06-1050, referencing Attorney Docket No. 14219-080US1.

Respectfully submitted,

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